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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

DIRECTV, INC., a California corporation,  
Plaintiff,  
vs.  
PATSY EDWARDS-KEMP,  
Defendant.

Case No. CV-03-5338 HRL  
Hon. Howard R. Lloyd  
**REQUEST FOR VOLUNTARY  
DISMISSAL OF DEFENDANT  
PATSY EDWARDS-KEMP;  
APPROPOSAL ORDER THEREON**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff DIRECTV, Inc. (“DIRECTV”) hereby respectfully requests that the Court enter an Order dismissing the above-captioned action with prejudice as to Defendant Patsy Edwards-Kemp (“Defendant”). This request is made on the grounds that Defendant and DIRECTV have entered into an agreement settling this matter. Pursuant to the terms of that agreement, DIRECTV agreed to voluntarily dismiss this action against Defendant, each party to bear its/her own attorneys’ fees and costs incurred in this action to date.

Although on August 4, 2005 this Court dismissed without prejudice DIRECTV's claims against Defendant, DIRECTV is obligated under the terms of the settlement agreement to take all reasonable steps to obtain a dismissal of this action with prejudice against Defendant, each party to bear its/her own costs and attorneys' fees. DIRECTV files this Request in fulfillment of that obligation.

1                   Defendant answered the Complaint on or about April 20, 2004. DIRECTV,  
2 therefore, cannot unilaterally voluntarily dismiss this action against Defendant absent a Court  
3 order. Fed. R. Civ. P. 41(a). Accordingly, DIRECTV respectfully requests the entry of such an  
4 order dismissing Defendant with prejudice.

5 DATED: October 19, 2005

Respectfully Submitted,

6                   BUCHALTER NEMER  
7                   A Professional Corporation

8                   By: \_\_\_\_\_ /s/ Brandon Q. Tran  
9                   Brandon Q. Tran  
10                  Attorneys for Plaintiff DIRECTV, Inc.

11                  **ORDER**

12                  Having read the foregoing Request for Voluntary Dismissal of Defendant  
13 Patsy Edwards-Kemp filed by Plaintiff DIRECTV, Inc., and such other pleadings and papers  
14 deemed appropriate by the Court, and GOOD CAUSE appearing therefore, the Court ORDERS  
15 as follows:

- 16                  1.       This action is hereby dismissed with prejudice as against Defendant  
17 Patsy Edwards-Kemp; and  
18                  2.       Each party shall bear its/her own attorneys' fees and costs incurred in this action to  
19 date.

20                  DATED: October 24, 2005

21                  \_\_\_\_\_  
22                  /s/ Howard R. Lloyd  
23                  Honorable Howard R. Lloyd  
24                  United States District Court  
25                  Northern District of California